

## NUCLEAR END-USERS/END-USES CHECKLIST

CUSTOMER NAME: \_\_\_\_\_  
 COMPANY NAME: \_\_\_\_\_  
 COUNTRY OF DESTINATION: \_\_\_\_\_  
 ORDER #: \_\_\_\_\_  
 DATE SCREENED: \_\_\_\_\_ COMPLETED BY: \_\_\_\_\_  
 END-USE: \_\_\_\_\_

The purpose of this screen is to provide a step-by-step process to determine whether a license is required based on the nuclear end-user and end-use prohibitions of Part 744.2 of the Export Administration Regulations.

### Step 1: End-Users

<p><b><u>The Entity List</u></b> (Supplement No. 4 to Part 744; See Section 744.10)          Have you been informed by the Bureau of Industry and Security (BIS) as described in Section 744.2(b) that a license is required or is a license required by the terms of the Entity List?  <a href="http://www.bis.doc.gov/Entities/Default.html">www.bis.doc.gov/Entities/Default.html</a></p>	YES___ NO___
<p>If the answer is "YES," a license is required. License Exceptions and NLR may not be used.          If the answer is "NO," then proceed to the next question.</p>	
<p><b><u>Specially Designated Terrorists</u></b> (Section 744.13)  <b><u>Designated Foreign Terrorist Organizations</u></b> (Section 744.14)  <b><u>Specially Designated Persons</u></b> (Section 744.16)          Is the customer/end-user listed on the Treasury Department's Office of Foreign Assets Control Listing of Specially Designated Nationals and Blocked Persons (Supplement No.3 to Part 764)?  <a href="http://www.treas.gov/ofac/index.html">www.treas.gov/ofac/index.html</a></p>	YES___NO___
<p>If the answer is "YES," a license is required. License Exceptions and NLR may not be used. See <a href="http://www.treas.gov/offices/enforcement/ofac/faq/index">www.treas.gov/offices/enforcement/ofac/faq/index</a> to determine whether to call OFAC's Compliance hotline.          If the answer is "NO," then proceed to the next question.</p>	

**Step 2: Focus on Countries of Concern**

Do you know that the transaction involves a terrorist supporting country, Country Group E:1: Cuba, Iran, Iraq, Libya, North Korea, Syria or Sudan? (Supplement No. 1 to Part 740)	YES___ NO___
<b>If “YES,” stop the transaction and contact your Export Administrator.</b>	
Is the end-user/customer located in Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Turkey, or the United Kingdom? (See Supplement No. 3 to Part 744.)	YES___ NO___
If “YES,” the nuclear end-use restrictions do not apply and you may end this check here. A license is not required based on Section 744.2.	

If “NO,” for **ALL other countries**, proceed to Step 3.

### Step 3: Related Industries/Activities Applicability Checklist

Do you know that the end-user/customer is involved in any of the following potentially nuclear related industries or activities:

power plants	YES___ NO___
energy plants	YES___ NO___
nuclear facilities	YES___ NO___
nuclear explosives or weapons activities	YES___ NO___
manufacturing of parts used in atomic facilities	YES___ NO___
nuclear or atomic reprocessing plants	YES___ NO___
nuclear or atomic waste activities	YES___ NO___
nuclear or atomic "source" material	YES___ NO___
separation of isotopes of any source or special nuclear material	YES___ NO___
production of heavy water	YES___ NO___
nuclear fuel fabrication	YES___ NO___
plants of any kind supported by fast breeder reactor	YES___ NO___
institute of science and technology	YES___ NO___
radiological facilities	YES___ NO___
conventional weapons and armaments research and development establishments	YES___ NO___
military entities	YES___ NO___
<b>Does the end-user have any of the "red flag" indicators noted on the Diversion Risk Profile? <a href="http://www.bis.doc.gov/Enforcement/redflags.htm">www.bis.doc.gov/Enforcement/redflags.htm</a></b>	YES___ NO___

If the answers to all of these are "NO," or you were able to resolve the red flags, you have completed this Checklist.  
A license is not required under Section 744.2.

If "YES," a license may be required. Proceed to Step 4, Restricted Nuclear End-Use Checklist.

The purpose of this checklist is to determine whether the end-user, customer or a U.S. person is involved in certain activities which require a U.S. export license.

#### **Step 4: Restricted Nuclear End-Uses**

Do you know that your items will be used directly or indirectly in any of the following activities:

##### **(1) Nuclear explosive activities**

Research on or development, design, manufacture, construction, testing or maintenance of any nuclear explosive device or components or subsystems of such a device?	YES___ NO___
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##### **(2) Unsafeguarded \*nuclear activities**

Research on, or development, design, manufacture, construction, operation, or maintenance of:	
a nuclear reactor	YES___ NO___
a critical facility	YES___ NO___
a facility for the fabrication of nuclear fuel	YES___ NO___
a facility for the conversion of nuclear material from one form to another	YES___ NO___
a storage installation	YES___ NO___

\* Unsafeguarded means that there is no obligation on the part of the country, to accept International Atomic Energy Agency (IAEA) safeguards at the relevant facility or installation that contains any source or special fissionable material (regardless of whether or not it contains such material at the time of export), or where any such obligation is not met.

##### **(3) Safeguarded and unsafeguarded nuclear activities.**

Nuclear fuel cycle activities, including research on a development, design, manufacture, construction, operation or maintenance of any of the following facilities:	
Facilities for the chemical processing of irradiated special nuclear or source material	YES___ NO___
Facilities for the production of heavy water	YES___ NO___
Facilities for the separation of isotopes of source and special nuclear material	YES___ NO___
Facilities for the fabrication of nuclear reactor fuel containing plutonium	YES___ NO___

Even if an export, reexport or transfer does not involve a restricted nuclear end-use of concern, a license may be required for U.S. persons (including foreign branches of U.S. companies) performing certain support activities.

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**Are you aware of any:**

U.S. person involved in an export, reexport or transfer transaction where that person knows that an item will be used in the design, development, production, or use of nuclear devices in or by Cuba, India, Iran, Iraq, Israel, North Korea, Libya, or Pakistan? (See Country Group D:2, Supplement No. 1 to Part 740)	YES___ NO___
U.S. person involved in support activities including financing, freight forwarding, transportation and other comparable assistance by which a person facilitates an export, reexport or transfer without being the actual exporter or reexporter?	YES___ NO___

If you answered “YES” to any of the questions in Step 4, contact your Export Administrator; a license is required.

If you answered “NO” to all of the questions in Step 4, you have completed the Nuclear End-Users/End-Uses Checklist. A license is not required under Section 744.2 or 744.6.